

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**THE UNITED STATES OF AMERICA
Plaintiff,**

vs.

CASE NO. 22-00138-016 (PAD)

**Edian Palermo-Barea
Defendant**

MOTION NOTIFYING VIOLATIONS OF CONDITIONS OF RELEASE

**TO THE HONORABLE PEDRO A. DELGADO
UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO**

COMES NOW, FRANKLIN CASTILLO-FERNANDEZ, U.S. PROBATION OFFICER

of this Honorable Court, providing the following information:

1. On April 11, 2022, the Honorable Marshall D. Morgan, U.S. Magistrate-Judge, signed the defendant's Order Setting Conditions of Release on an \$10,000.00 unsecured bond, substance abuse testing among other conditions of release.
2. On May 26, 2022, during a routine visit to the defendant's residence, he admitted that he had used Cannabis two weeks prior to the USPO visit. The defendant was reprimanded for this matter, and he was advised that he will be continuously tested. He was reminded of the potential outcomes of non-compliance.
3. On June 22, 2022, during another routine visit to the defendant's residence, the defendant provided a urine sample for testing, and he denied the use of any substances after his cannabis use nearly six weeks ago. The sample tested positive to Cannabinoids yet again. When confronted that defendant

admitted to using cannabis two weeks prior to the June 22 visit. He was informed that the Court would be informed of his non-compliance and that he is to seek substance abuse treatment at a community-based treatment provider.

4. On July 13, 2022 another urine sample was collected for testing, the same is yet to be tested and should it yield a positive result the Court will be informed.

(7)(m) – “The defendant must not use or unlawfully possess a narcotic drug or other substances defined in 21 U.S.C § 802, unless prescribed by a licensed medical practitioner.”

WHEREFORE, in view of the aforementioned, it is respectfully requested that the Court take notice of the contents of this motion and allow the defendant to continue on bond and seek substance abuse treatment at a community-based treatment provider.

In San Juan, Puerto Rico, this 14th day of July 2022.

Respectfully submitted,

LUIS O. ENCARNACION, CHIEF
U.S. PROBATION OFFICER

s/Franklin Castillo-Fernández
Franklin Castillo-Fernández
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CERTIFICATE OF SERVICE

I HEREBY certify that I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties in this case.

In San Juan, Puerto Rico, this 14th day of July 2022.

s/ Franklin Castillo-Fernández

Franklin Castillo-Fernández
U.S. Probation Officer